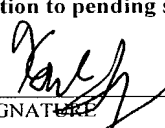


JC10 Rec'd PCT/PTO 27 FEB 2002

FORM PTO-1390 (REV 10-95)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			24717-717
			U.S. APPLICATION NO. (If known, see 37 CFR 1.5) Unknown 10/070515
INTERNATIONAL APPLICATION NO PCT/US01/32319	INTERNATIONAL FILING DATE 17 October 2001	PRIORITY DATE CLAIMED 17 October 2000	
TITLE OF INVENTION Method And Apparatus For The Assessment And Optimization of Network Traffic			
APPLICANT(S) FOR DO/EO/US Michael A. Lloyd, Omar C. Balondado, Sean P. Finn, Mansour J. Karam, James G. McGuire, Herbert S. Madan			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under <u>35 U.S.C. 371</u>. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 37(b) and PCT Articles 22 and 39(1). 4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)). 7. <input type="checkbox"/> Amendments to claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input checked="" type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. c. <input type="checkbox"/> have not been made and will not be made 8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 			
Items 11. To 16. below concern document(s) or information included:			
<ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. <ul style="list-style-type: none"> <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 14. <input type="checkbox"/> A substitute specification. 15. <input type="checkbox"/> A change of power of attorney and/or address letter 16. <input type="checkbox"/> Other items or information: Copy of International Search Report and PCT Publication document 			

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17. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO \$710.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) \$670.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$710.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO ... \$970.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)..... \$96.00 <p style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</p>		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:60%;">CALCULATIONS</th> <th style="width:20%;">PTO USE</th> <th style="width:20%;">ONL</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td style="text-align: right;">\$ 710</td> <td> </td> <td> </td> </tr> <tr> <td style="text-align: right;">\$ 130</td> <td> </td> <td> </td> </tr> <tr> <td style="text-align: right;">\$ 1710</td> <td> </td> <td> </td> </tr> <tr> <td style="text-align: right;">\$ 504</td> <td> </td> <td> </td> </tr> <tr> <td style="text-align: right;">\$ 260.00</td> <td> </td> <td> </td> </tr> <tr> <td style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</td> <td style="text-align: right;">\$ 3054</td> <td> </td> </tr> <tr> <td style="text-align: right;">Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement is claimed under 37 CFR 1.27.</td> <td style="text-align: right;">\$ 1527</td> <td> </td> </tr> <tr> <td style="text-align: right;">SUBTOTAL =</td> <td style="text-align: right;">\$ 1527</td> <td> </td> </tr> <tr> <td style="text-align: right;">Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</td> <td style="text-align: right;">\$</td> <td> </td> </tr> <tr> <td style="text-align: right;">TOTAL NATIONAL FEE =</td> <td style="text-align: right;">\$ 1527</td> <td> </td> </tr> <tr> <td style="text-align: right;">Fee for recording the enclosed assignment (37 CFR 1.21(h)) The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property</td> <td style="text-align: right;">\$</td> <td> </td> </tr> <tr> <td style="text-align: right;">TOTAL FEES ENCLOSED =</td> <td style="text-align: right;">\$ 1527</td> <td> </td> </tr> <tr> <td> </td> <td style="text-align: right;">Amount to be refunded</td> <td style="text-align: right;">\$</td> </tr> <tr> <td> </td> <td style="text-align: right;">Charged</td> <td style="text-align: right;">\$ 1527</td> </tr> </table>		CALCULATIONS	PTO USE	ONL				\$ 710			\$ 130			\$ 1710			\$ 504			\$ 260.00			TOTAL OF ABOVE CALCULATIONS =	\$ 3054		Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement is claimed under 37 CFR 1.27.	\$ 1527		SUBTOTAL =	\$ 1527		Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).	\$		TOTAL NATIONAL FEE =	\$ 1527		Fee for recording the enclosed assignment (37 CFR 1.21(h)) The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property	\$		TOTAL FEES ENCLOSED =	\$ 1527			Amount to be refunded	\$		Charged	\$ 1527
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a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 23-2415 in the amount of \$ <u>1,527</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account No. 23-2415. A duplicate of this sheet is enclosed. d. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 C.F.R.1.27. NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b) must be filed and granted to restore the application to pending status. SEND ALL CORRESPONDENCE TO: Wilson Sonsini Goodrich & Rosati 650 Page Mill Road Palo Alto, California 94304-1050 (650) 493-9300 Customer No. 021971																																																			
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